

REMARKS

Applicants respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 4, 7, 10, 13 and 16 are currently being amended.

Claims 19-27 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-27 are now pending in this application.

Claims 4, 10 and 16 have been amended to obviate the objection raised in the Office Action.

Claims 1-18 were rejected under 35 USC 103 over the Shavit et al. ('156). This rejection is respectfully traversed to the extent that it is applied to the claims as amended.

Shavit et al. discloses a system for facilitating the direct communication between buyers and sellers, via concurrent sessions. It is not directed to running a franchise supply chain and providing access to independent peers of peer data to allow business decisions to be made, while not disclosing the source of the data. Put simply, there is no motivation to modify Shavit to provide information to independent peers in a group because the buyers are not related in any fashion, much less under a franchise umbrella.

Specifically, Shavit et al. does not disclose the steps of a supply chain management computer receiving data from a plurality of independent supply chain participants of a franchise supply chain utilizing a network, wherein some of the plurality of supply chain participants are independent peers; the supply chain management computer assigning each of the supply chain participants with an identifier; the supply chain system associating the data

for each of the supply chain participants with its respective identifier; the supply chain management computer dividing supply chain participants into groups, wherein at least one of the groups contains a plurality of independent peers; linking each of a plurality of the supply chain participants to one of a plurality of groups based on the identifier of the participant; and the supply chain management computer providing different groups with access to different data, wherein at least one group containing independent peers is provided access to data from the independent peers within the one group, which data is organized by identifiers.

The result of the unique claimed combination is to provide access to anonymous peer data (it cannot be disaggregated) to other independent peers that would not normally have access to such data. In this context, the term peer is intended to take its ordinary meaning as entities at a same level, such as store independent peers, or distributor independent peers, or supplier independent peers. This aspect is not disclosed in Shavit et al. But for this invention, these independent peers would never have any visibility into this confidential data. Note that the reference to column 9, line 45 in Shavit relates to a service provider specifying the type of information and computing functions authorized for each user. There is no provision for access to anonymous data via the system between independent peers.

Regarding claims 4, 10, and 16, there is no disclosure in Shavit of the identifier indicating a region where the store is located. Such a feature would not be obvious for the Shavit system because there is no reason why Shavit would want to so identify its independent buyers and sellers.

New claim 19 claims the aggregating of the data and providing access to the aggregated data to a selected group. The basis for this feature may be found at, for example page 83.

New claim 20 clarifies that the aggregated data is retail outlet sales information for a product and further includes the step of determining from a component parts list for the product usage for inventory items on the component parts list. A basis for this aspect may be found in the specification, for example, at page 84. New claim 21 claims the averaging of selected items of the data and multiplying a resulting average by a total number of retail outlets associated with a given supply chain participant. A basis in the specification for this

aspect may be found in the specification, for example, at page 84, and relates to sampling. Comparable dependent claims are provided in system and computer program product format.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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